



Senate

General Assembly

January Session, 2015

File No. 548

Senate Bill No. 572

Senate, April 8, 2015

The Committee on Energy and Technology reported through SEN. DOYLE of the 9th Dist., Chairperson of the Committee on the part of the Senate, that the bill ought to pass.

AN ACT ESTABLISHING THE OFFICE OF BROADBAND ADVOCACY.

Be it enacted by the Senate and House of Representatives in General Assembly convened:

1 Section 1. Section 16-2a of the general statutes is repealed and the
2 following is substituted in lieu thereof (*Effective October 1, 2015*):

3 (a) There shall be an independent Office of Consumer Counsel,
4 within the Department of Energy and Environmental Protection, for
5 administrative purposes only, to act as the advocate for consumer
6 interests in all matters which may affect Connecticut consumers with
7 respect to public service companies, electric suppliers and certified
8 telecommunications providers, including, but not limited to, rates and
9 related issues, ratepayer-funded programs and matters concerning the
10 reliability, maintenance, operations, infrastructure and quality of
11 service of such companies, suppliers and providers. The Office of
12 Consumer Counsel is authorized to appear in and participate in any
13 regulatory or judicial proceedings, federal or state, in which such
14 interests of Connecticut consumers may be involved, or in which
15 matters affecting utility services rendered or to be rendered in this

16 state may be involved. The Office of Consumer Counsel shall be a
17 party to each contested case before the Public Utilities Regulatory
18 Authority and shall participate in such proceedings to the extent it
19 deems necessary. Said Office of Consumer Counsel may appeal from a
20 decision, order or authorization in any such state regulatory
21 proceeding notwithstanding its failure to appear or participate in said
22 proceeding.

23 (b) Except as prohibited by the provisions of section 4-181, the
24 Office of Consumer Counsel shall have access to the records of the
25 Public Utilities Regulatory Authority and shall be entitled to call upon
26 the assistance of the authority's and the department's experts, and shall
27 have the benefit of all other facilities or information of the authority or
28 department in carrying out the duties of the Office of Consumer
29 Counsel, except for such internal documents, information or data as
30 are not available to parties to the authority's proceedings. The
31 department shall provide such space as necessary within the
32 department's quarters for the operation of the Office of Consumer
33 Counsel, and the department shall be empowered to set regulations
34 providing for adequate compensation for the provision of such office
35 space.

36 (c) There shall be established an Office of Broadband Advocacy
37 within the Office of Consumer Counsel. The Office of Broadband
38 Advocacy shall work to facilitate the availability of broadband access
39 to every state citizen and to increase access to and the adoption of
40 ultra-high-speed gigabit capable broadband networks. The Office of
41 Consumer Counsel may work in collaboration with public and
42 nonprofit entities and state agencies, and may provide advisory
43 assistance to municipalities, local authorities and private corporations
44 for the purpose of maximizing opportunities for the expansion of
45 broadband access in the state and fostering innovative approaches to
46 broadband in the state, including the procurement of grants for such
47 purpose. The Office of Broadband Advocacy shall include a
48 Broadband Policy Coordinator and such other staff as the Consumer
49 Counsel deems necessary to perform the duties of the Office of

50 Broadband Advocacy.

51 ~~[(c)]~~ (d) The Office of Consumer Counsel shall be under the
52 direction of a Consumer Counsel, who shall be appointed by the
53 Governor with the advice and consent of either house of the General
54 Assembly. The Consumer Counsel shall be an elector of this state and
55 shall have demonstrated a strong commitment and involvement in
56 efforts to safeguard the rights of the public. The Consumer Counsel
57 shall serve for a term of five years unless removed pursuant to section
58 16-5. The salary of the Consumer Counsel shall be equal to that
59 established for management pay plan salary group seventy-one by the
60 Commissioner of Administrative Services. No Consumer Counsel
61 shall, for a period of one year following the termination of service as
62 Consumer Counsel, accept employment by a public service company,
63 a certified telecommunications provider or an electric supplier. No
64 Consumer Counsel who is also an attorney shall in any capacity,
65 appear or participate in any matter, or accept any compensation
66 regarding a matter, before the Public Utilities Regulatory Authority,
67 for a period of one year following the termination of service as
68 Consumer Counsel.

69 ~~[(d)]~~ (e) The Consumer Counsel shall hire such staff as necessary to
70 perform the duties of said Office of Consumer Counsel and may
71 employ from time to time outside consultants knowledgeable in the
72 utility regulation field including, but not limited to, economists, capital
73 cost experts and rate design experts. The salaries and qualifications of
74 the individuals so hired shall be determined by the Commissioner of
75 Administrative Services pursuant to section 4-40.

76 ~~[(e)]~~ (f) Nothing in this section shall be construed to prevent any
77 party interested in such proceeding or action from appearing in person
78 or from being represented by counsel therein.

79 ~~[(f)]~~ (g) As used in this section, "consumer" means any person, city,
80 borough or town that receives service from any public service
81 company, electric supplier or from any certified telecommunications
82 provider in this state whether or not such person, city, borough or

83 town is financially responsible for such service; and "broadband"
84 means high-speed Internet access, including wireless Internet access.

85 [(g)] (h) The Office of Consumer Counsel shall not be required to
86 post a bond as a condition to presenting an appeal from any state
87 regulatory decision, order or authorization.

88 [(h)] (i) The expenses of the Office of Consumer Counsel shall be
89 assessed in accordance with the provisions of section 16-49.

This act shall take effect as follows and shall amend the following sections:		
Section 1	October 1, 2015	16-2a

ET *Joint Favorable*

The following Fiscal Impact Statement and Bill Analysis are prepared for the benefit of the members of the General Assembly, solely for purposes of information, summarization and explanation and do not represent the intent of the General Assembly or either chamber thereof for any purpose. In general, fiscal impacts are based upon a variety of informational sources, including the analyst's professional knowledge. Whenever applicable, agency data is consulted as part of the analysis, however final products do not necessarily reflect an assessment from any specific department.

OFA Fiscal Note

State Impact:

Agency Affected	Fund-Effect	FY 16 \$	FY 17 \$
Consumer Counsel	CC&PUCF - Cost	546,074	546,074

Note: CC&PUCF=Consumer Counsel and Public Utility Control Fund

Municipal Impact: None

Explanation

The bill requires the Office of Consumer Counsel (OCC) to establish an Office of Broadband Advocacy (OBA). OBA would be required to facilitate the availability of broadband access and the adoption of ultra-high-speed gigabit capable broadband networks.

It is estimated that OCC would require a total of \$546,074 to establish the OBA. Two new positions (one Broadband Policy Coordinator and one Secretary 2) would be needed at a cost of \$256,074 for both salaries and fringe benefits.¹ Other costs include \$250,000 for consultant services and \$40,000 for Other Expenses.

The Out Years

The annualized ongoing fiscal impact identified above would continue into the future subject to inflation.

Sources: Core-CT Financial Accounting System

¹The fringe benefit costs for employees funded out of other appropriated funds are budgeted within the fringe benefit account of those funds, as opposed to the fringe benefit accounts within the Office of the State Comptroller. The estimated active employee fringe benefit cost associated with most personnel changes for other appropriated fund employees is 82.91% of payroll in FY 16 and FY 17.

OLR Bill Analysis**SB 572*****AN ACT ESTABLISHING THE OFFICE OF BROADBAND ADVOCACY.*****SUMMARY:**

This bill establishes an Office of Broadband Advocacy within the Department of Energy and Environmental Protection's Office of Consumer Counsel (OCC). The bill requires the Office of Broadband Advocacy to work to increase access to broadband to every state citizen and increase access to, and adoption of, ultra-high-speed gigabit-capable broadband networks. Under the bill, "broadband" is high-speed Internet access and includes wireless Internet access.

The bill allows the OCC to collaborate with public and nonprofit entities and state agencies. It also allows the OCC to provide advisory assistance, including help in procuring grants, to municipalities, local authorities, and private corporations for the expansion of broadband access in the state and to foster innovative broadband approaches.

Under the bill, the new office includes a broadband policy coordinator and other staff as the OCC deems necessary to perform its duties.

EFFECTIVE DATE: October 1, 2015

COMMITTEE ACTION

Energy and Technology Committee

Joint Favorable

Yea 13 Nay 10 (03/24/2015)